

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 15-00117-01-CR-W-GAF
)	
JAMES E. ALTOM,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on September 9, 2015. Defendant Altom appeared in person and with retained counsel Robert Knapp. The United States of America appeared by Assistant United States Attorney Bruce Clark.

I. BACKGROUND

On April 14, 2015, an indictment was returned charging Defendant with one count of possession with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and one count of possessing a firearm in furtherance of a drug trafficking offense, in violation of 18 U.S.C. § 924(c).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Clark announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Erik Burchfielde, Kansas City Police Department.

Mr. Knapp announced that he will be the trial counsel for Defendant Altom.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Clark announced that the government intends to call 6 witnesses without stipulations or 4-5 witnesses with stipulations during the trial.

Mr. Knapp announced that Defendant Altom does not intend to call any witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Mr. Clark announced that the government will offer approximately 25 exhibits in evidence during the trial.

Mr. Knapp announced that Defendant Altom will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Mr. Knapp announced that Defendant Altom will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

This case is probably not for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits

premarked using the stickers provided by the Clerk of Court by September 9, 2015;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, September 16, 2015;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, September 16, 2015. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on September 21, 2015.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
September 9, 2015
cc: Mr. Kevin Lyon

¹Counsel in all cases assigned to be tried before Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by September 18, 2015. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.